

PART 1100—EMPLOYEE RESPONSIBILITIES AND CONDUCT

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AUTHORITY: Federal Personnel Manual, Chapter 735 paragraph 1-5c.

SOURCE: 40 FR 32116, July 31, 1975, unless otherwise noted.

EDITORIAL NOTE: Appendixes A through D, which were filed as part of the original document, are not included in Part 1100, below.

Subpart A—General

§ 1100.1 Reference.

- (a) Executive Order 11222.¹
- (b) Federal Personnel Manual, Chapter 735, Employee Responsibilities and Conduct.

§ 1100.2 Purpose.

The maintenance of unusually high standards of honesty, integrity, and conduct by employees and special Government employees is essential to assure the proper performance of the Section's business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of employees and special Government employees through informed judgement is indispensable to the maintenance of these standards. To accord with these concepts, the order sets forth the section's regulations prescribing standards of conduct and responsibilities and governing statements of employment and financial interests for employees and special Government employees.

§ 1100.3 Definitions.

In this order, the following terms mean:

(a) *Employee*. An officer and an employee of the United States Section of the International Boundary and Water Commission, United States and Mexico, but does not include a special Government employee.

(b) *Person*. An individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

(c) *Section*. United States Section of the International Boundary and Water Commission, United States and Mexico.

(d) *Special government employee*. A special Government employee as defined by section 202 of title 18 of the United States Code who is employed by the Section.

(e) *Remedial action*. An action taken against an employee or special Government employee as a result of a violation of this Order. Remedial action may include, but is not limited to:

¹30 FR 6469, 3 CFR, 1964-65 Comp., p. 306.

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- (1) Changes in assigned duties;
- (2) Divestment by the employee or special Government employees of conflicting interests;
- (3) Disciplinary action which may be in addition to any penalty prescribed by law; or
- (4) Disqualification for a particular assignment.

Remedial action, whether disciplinary or otherwise, shall be effected in accordance with any applicable laws, executive orders, and governing regulations.

§ 1100.4 Policy.

(a) In Executive Order 11222 prescribing standards of ethical conduct for Government officers and employees, the President asserted the following policy: Where Government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of his government. Each individual officer, employee, or advisor of government must help to earn and must honor that trust by his own integrity and conduct in all official actions.

(b) This order sets forth the rules and regulations adopted by the Section in response to Executive Order 11222 and implements chapter 735 of the Federal Personnel Manual. It is the obligation of every employee to be thoroughly familiar with the requirements herein and it is further the responsibility of each supervisor to assure complete understanding by employees in his organization.

(c) Any information which indicates that an employee may have violated the provisions of this Order should be forwarded through channels by the employee's supervisors. It should be sent to the supervisory official who, under current instructions, is authorized to take appropriate remedial or disciplinary action. Such action should be taken at the lowest practicable supervisory level in order that if necessary, reviews may be made at a higher level of supervision. The official to whom information is addressed will make a thorough investigation of the matter and take appropriate action. The Personnel Director, or designated representative, will be consulted to insure that proposed actions are proper and in

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accordance with applicable laws, Civil Service Commission regulations, and Section requirements. When official information is involved, the official investigating the matter will insure that such information is protected in accordance with applicable regulations.

(d) Additionally, if the complaint or information alleges the acceptance of gifts or favors, or the use of official position for personal advantage, notice of the complaint or information shall be furnished immediately to the Commissioner. Cases arising in the field shall be routed through the Executive Officer.

(e) If the complaint or information originates within the Section, necessary investigation and/or remedial action shall be initiated concurrently with the submission of notice to the Commissioner. Letters or complaints from outside the Section will accompany the notice to the Commissioner, who will determine and direct the action to be taken on them.

§ 1100.5 Information to employees.

(a) *Initial information.* At the time they are published or revised, each employee will be furnished a copy of the Section's regulations governing employee responsibilities and conduct. Further, the Personnel Director shall establish procedures to insure that employees are periodically reminded of these rules and regulations, at least annually.

(b) *Counseling service.* A counseling service is available to provide advice and guidance to individual employees concerning their responsibilities under the Section's rules and regulations. The Personnel Director will provide guidance and advice to employees regarding the provisions of this order. For the purposes of conflict of interest laws, the Chief, Real Estate shall serve as counselor.

Subpart B—Conduct and Responsibilities

§ 1100.6 Proscribed actions.

Employees are forbidden by law to take certain actions. An employee shall avoid any action which might result in, or create the appearance of: